

**Probate Committee
Judicial Conference of Indiana**

January 12, 2007
Minutes

1. Members present. The following members of the committee were present: David Bolk, Larry Bradley, Susan Orr Henderson, Phillip Houk, David Kolger, Thomas Milligan, Kathy Smith, and Kevin Barton, Chair.
2. Staff present. Michelle C. Goodman provided the committee with staff assistance.
3. Welcome of new members & approval of minutes. Judge Barton welcomed the new committee members to the meeting. The Committee approved the minutes from the August 2006 meeting.
4. Benchbook revisions. The Committee reviewed revisions to Section 1.20 of the benchbook on unsupervised and small estates. The Committee amended Section 1.24(C)(2)(b)(1) and approved the publication of these revisions. The Committee also reviewed two drafts of new sections of the benchbook, trusts and powers of attorney. The Committee made several revisions to these two sections and approved them for publication. The Committee requested that these revisions be distributed as soon as possible.
5. Report from Probate Code Study Commission. The Committee reviewed and discussed preliminary report and minutes from the Commission meetings. The Committee also discussed the provisions of SB 212 and 271.
6. Report from State Bar Section. Judge Barton distributed the minutes from the most recent meeting for review. The next section meeting will be in January.
7. Innovations in Probate. Judge Barton explained to the Committee the project from the Chief Justice to develop proposals to address the aging population and its impact on the probate courts. The Committee discussed issues involving elderly individuals without family (i.e., guardianships, protective services, involvement of local attorneys). The Committee received materials on the Volunteer Lawyer Program from Lake Co. and asked to talk with Becky Pyror more about the program. Judge Barton said he would be in contact with her. The Committee also discussed the possibility of creating publications or education programs to help navigate the probate system. The Committee then discussed court processes and accessibility issues, including ADR programs in probate. The Committee decided to continue this discussion at the next meeting with the goal of having a proposal finalized in September.
8. Maximum Fee Guidelines. The Committee decided to place this item on the agenda for the next meeting and requested staff compile information from other states, case law, and relevant documents to assist in drafting revisions to the guideline section.

9. Meeting schedule for 2007: The 2007 meeting schedule was set as follows:

March 23, 2007 at 1:30 p.m.

May 18, 2007 at 1:30 p.m.

July 20, 2007 at 1:30 p.m.

September 7, 2007 at 1:30 p.m.

November 9, 2007 at 1:30 p.m.

All meetings will be held at the Judicial Center with local time prevailing.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney